IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 3437 OF 1999

Mr.Nitesh Machhindra Patil.... .... Petitioner.

Versus

The State of Maharashtra & Ors.. ... Respondents.

Mr. R. K. Mendadkar for the Petitioner.

Mr. C.R.Sonawane, AGP for Respondent Nos.1 to 5.

CORAM : R. M. LODHA &
NARESH H. PATIL, JJ.

DATED : 11TH AUGUST, 2006.

P.C. :

Mr. R. K. Mendadkar, Counsel for the petitioner, submits that during the pendency of writ petition, the petitioner has already completed the course of Bachelor of Engineering (Mechanical). He submits that the petitioner may be permitted to withdraw this writ petition.

2. In the light of the submission made by the Counsel for the petitioner, we dispose of the writ petition by following order :

(1) The writ petition is dismissed as withdrawn.

(2) The order dated 21st May, 1999 passed by the Caste Scrutiny Committee, accordingly, holds the field and, therefore, it is declared that the petitioner cannot claim the benefit of Scheduled Caste as it has been held by the Caste Scrutiny Committee that he does not belong to "Mahadev Koli" - Scheduled Tribe.

(3) Having completed the course of Bachelor of Engineering (Mechanical), no further order needs to be passed in this regard.

(4) No costs.

Sd/-

(R. M. LODHA, J.)

Sd/-

(NARESH H. PATIL, J.)